

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

JOHN DOUGHERTY

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CRIMINAL DOCKET NO.: 19-64-JLS

ORDER

AND NOW this day of , 2024, upon consideration of Defendant John Dougherty's Motion to Postpone Surrender, it is hereby ORDERED that the Motion is GRANTED and that Defendant Dougherty shall surrender to his designated facility on or before October 25, 2024.

BY THE COURT:

Honorable Jeffrey L. Schmehl
United States District Court
Eastern District of Pennsylvania

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

JOHN DOUGHERTY

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MOTION OF DEFENDANT, JOHN DOUGHERTY TO POSTPONE SURRENDER

TO THE HONORABLE JEFFREY L. SCHMEHL, JUDGE OF THE UNITED STATES
DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA:

AND NOW comes the Defendant, John Dougherty, by his attorney, Gregory J. Pagano, Esquire and respectfully moves this Court to Postpone Mr. Dougherty's Surrender until October 25, 2024 and in support thereof states the following:

1. Mr. Dougherty, was indicted on or about January 29, 2019 for acts related to his position as a business manager of a Philadelphia trade union.
2. The case was severed into two separate trials.
3. The first trial related to counts 97-116 of the indictment charging Mr. Dougherty and a codefendant with honest services fraud.
4. Mr. Dougherty was convicted of multiple counts of honest services fraud in November 2021.
5. The second trial related to Counts 1-96 of the indictment charging Mr. Dougherty and six codefendants with embezzlement and related charges from the union.

6. The second trial concluded on December 7, 2023, and Mr. Dougherty was convicted on multiple counts.
7. On July 11, 2024, John Dougherty appeared before this Honorable Court for sentencing.
8. Mr. Dougherty was sentenced to 72 months incarceration and 36 months supervised release.
9. Mr. Dougherty is scheduled to surrender for the service of sentence on September 24, 2024.
10. John Dougherty does not present a risk of flight or a danger to any person or to the community in general. Clear and convincing evidence supports those findings. Mr. Dougherty is 64 years of age, a lifelong Philadelphia resident, has exceedingly strong lifetime ties to the community. Most importantly Mr. Dougherty is the sole caregiver of his wife Cecelia who is extremely ill and completely disabled.
11. Mr. Dougherty's wife has kidney surgery scheduled on September 19, 2024. She is an increased risk of infection and sepsis. Furthermore, her primary professional caretaker, a registered nurse who has worked in this capacity for almost 10 years and is extremely familiar with her and her needs, will be on vacation for four weeks after the surgery, returning on October 21, 2024. These circumstances create a void in her care schedule. See updated letter from Cecelia Dougherty's primary home care physician Christine Pluta, D.O. attached as Exhibit "A." See also letter from John Dougherty attached as Exhibit "B."
12. Mr. Dougherty recently underwent left foot and ankle surgery and is still recovering from that surgery. Attached are two letters from Mr. Dougherty's doctor attached collectively as Exhibit "C."

13. Mr. Dougherty has been wholly compliant with Pre-Trial Services.
14. According to the Bureau of Prisons, Mr. Dougherty was designated to a low security prison and classified as a low security inmate. The Final Presentence Report of July 2, 2024, Paragraph 197, page 40, reflects that there is a pending federal indictment (CR 21-65). On or about August 15, 2024, the indictment was dismissed. The PSR should be amended and updated to reflect this fact as it may lower the defendant's security level and render him eligible for a camp.

Wherefore it is respectfully requested that Mr. Dougherty's surrender date be postponed for a period of approximately 30 days for all of the reasons stated herein.

Respectfully submitted,

/s/ Gregory J. Pagano

Attorney for Defendant, John Dougherty
1315 Walnut Street, 12th Floor
Philadelphia, PA 19107
215-636-0160

Dated: September 19, 2024

CERTIFICATE OF SERVICE

Gregory J. Pagano, Esquire, hereby certifies that a true and correct copy of Defendant John Dougherty's Motion to Postpone Surrender was served upon government counsel, via the Court's electronic filing system.

/s/
GREGORY J. PAGANO, ESQ.
Attorney for John Dougherty

September 19, 2024